

# **DNREC, DDA propose new regulations for firearms possession within Delaware state parks, wildlife areas, and state forests**

**DOVER** – The Delaware Department of Natural Resources and Environmental Control (DNREC) and the Delaware Department of Agriculture (DDA) have proposed new regulations expanding the scope of legal possession of firearms within Delaware's state parks, state wildlife areas and state forests. Both agencies submitted the proposed regulations for publication in the Feb. 1 Monthly Register in response to a Dec. 7, 2017 Delaware Supreme Court decision that overturned a Superior Court ruling and expanded the scope of visitors' ability to possess firearms in Delaware's state parks under DNREC's authority and state forests which are under the DDA's jurisdiction.

Following the Court's decision to invalidate existing regulations limiting firearms in those state lands, DNREC and DDA earlier issued interim regulations which went into effect on Dec. 26, 2017. The interim regulations, issued by Orders of the DNREC and DDA Secretaries, respect the State Constitutional provisions on firearms cited by the Supreme Court in its ruling, by implementing the State's interest in ensuring public safety in a less restrictive manner. Interim regulations are effective for 120 days, with the possibility of a 60-day extension, for a total of 180 days before new regulations must be promulgated.

The proposed regulations by DNREC and DDA, pursuant to the Supreme Court ruling, state that visitors may legally possess firearms, as allowed by Delaware law, in state parks, wildlife

areas and forests unless they are prohibited by law due to a past conviction for a violent crime, active Protection from Abuse Order, or mental health commitment. This would include, for example, trails, unguarded beaches, parking lots, and vehicles. The proposed regulations prohibit firearms only in certain public facilities and designated areas such as park offices, visitor centers, nature centers, bathhouses, stadiums and facilities while used for events, museums, zoos, stables, educational facilities, dormitories, playgrounds, camping areas, swimming pools, guarded beaches, and water parks. Proposed regulations call for these designated areas to be identified by appropriate signage.

The proposed regulations allow holders of valid Delaware concealed-carry permits to carry within parks, including designated areas, provided only that the permit be produced upon request. The regulations would further allow active-duty law and qualified retired law enforcement officers to carry anywhere within the parks and other areas affected by Supreme Court decision. The proposed regulations can be found [on the DNREC website](#).

A public hearing on the proposed regulations will be held [March 12 at 6 p.m.](#) in DNREC's Richardson & Robbins Auditorium, 89 Kings Highway, Dover, DE 19901. Public workshops on the proposed regulations will be held in February in all three counties in advance of the March 12 public hearing. The dates, times and locations of the workshops are:

- New Castle County: [Thursday, Feb. 15, 6 p.m.](#), DNREC offices, 391 Lukens Drive, New Castle, DE 19720
- Kent County: [Tuesday, Feb. 20, 6 p.m.](#), DNREC R&R Auditorium, 89 Kings Highway, Dover, DE 19901
- Sussex County: [Thursday, Feb. 22, 6 p.m.](#), Sussex Central High School Auditorium, 26026 Patriots Way, Georgetown, DE 19947

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